

Panaji, 19th July, 1984 (Asadha 28, 1906)

SERIES I No. 16

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

#### Notification

1/2/82-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, read with the Government of India, Ministry of External Affairs, Notification No. F.7(11)/62-Goa dated 25-7-1963, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules relating to recruitment to the Group 'D' Non-Ministerial, Non-Gazetted posts in the Office of Chief Fire Officer under the Government of Goa, Daman and Diu, namely: —

#### 1. Short title, application and commencement: —

- 1) These rules may be called the Government of Goa, Daman and Diu, Office of the Chief Fire Officer, Group 'D' Non-Ministerial, Non-Gazetted posts Recruitment Rules, 1984.
- 2) **Application:**— These rules shall apply to the posts specified in Column 1 of the Schedule to these rules (hereinafter called as the "said Schedule").
- 3) They shall come into force from the date of publication in the Official Gazette.

#### 2. Number, classification and scales of pay. —

The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Schedule.

Provided that the Government may vary the number of posts in Column 2 of the said Schedule from time to time subject to exigencies of work.

**3. Method of recruitment, age limit and other qualifications.**— The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in Columns 5 to 13 of the said Schedule.

**4. Disqualification.**— No person who has entered into or contracted a marriage with a person having a spouse living or who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service.

Provided that the Government may if satisfied that such marriage is permissible under the personal Law applicable to such person and the other party to the marriage or that there are other grounds for so doing, exempt any person from the operation of this rule.

**5. Power to relax.**— Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and relax any of the provisions of these rules with respect to any class or category of persons.

**6. Saving.**— Nothing in these rules shall affect reservations, relaxation of age limit and other concessions required to be provided for Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in that regard.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary (Personnel).

Panaji, 7th July, 1984.

## SCHEDULE

1	2	3	4	5	6	7	8	9	10	11	12	13
Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruits will apply in the case of promotions	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer, and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D. P. C. exists, what is its composition to be consulted in making recruitment	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
Assistant Cook	2	Group 'D' Non-Ministerial, Non-Gazetted.	Rs. 200-3-206-4-234-EB-4-250.	Selection	Not exceeding 30 years (Relaxable for Government servants).	1 Should be literate and have knowledge of local language. 2. 3 years practical experience in the line preferably in any hotel of repute.	No	2 years	i) 50% by promotion/transfer on deputation. ii) 50% by direct recruitment.	Promotion: Mess servant with at least three years in D.P.C. the grade. Transfer on deputation: Persons holding analogous posts in the Union Territories.	Group 'D'	N. A.
Mess Servant	1	Group 'D' Non-Ministerial, Non-Gazetted.	Rs. 196-3-220-EB-3-232.	N. A.	Not exceeding 30 years (Relaxable for Government servants).	1 Should be literate and have knowledge of local language. 2. Practical experience in the line preferably in any hotel of repute.	N. A.	2 years	Direct recruitment.	N. A.	N. A.	N. A.

## Planning Department

## Notification

4-4-70/PLG

In exercise of the powers conferred by section 30 of the Registration of Births and Deaths Act, 1969 (Central Act 18 of 1969) the Administrator of Goa, Daman & Diu with the approval of the Central Government hereby makes the following rules so as to amend the Goa, Daman & Diu Registration of Births and Deaths Rules, 1970, namely:—

- (1) These rules may be called the Goa, Daman and Diu, Registration of Births and Deaths (Amendment) Rules, 1984.

- (2) They shall come into force at once.

2. *Amendment of rule 11.*—In the Goa, Daman and Diu Registration of Births and Deaths Rules, 1970—(hereinafter referred to as the principal Rules), for rule 11, the following rule shall be substituted, namely:—

"11. *Period for the purpose of section 14(1)* Where the birth of any child had been registered without a name, the parent or guardian of such child shall, within 12 months from the date of registration of the birth of child, give information regarding the name of the child to the Registrar either orally or in writing:

Provided that if the information is given after the aforesaid period of 12 months but within a period of 15 years, which shall be reckoned:—

(i) in case where the registration had been made prior to the date of commencement of the Registration of Births and Deaths (Amendment) Rules, 1984 from such date;

(ii) in case where the registration is made after the date of commencement of the Registration of Births and Deaths (Amendment) Rules, 1984 from the date of such registration,

subject to the provisions of sub-section (4) of section 23, the Registrar shall—

(a) If the register is in his possession, forthwith enter the name in the register on payment of a late fee of rupees two.

(b) If the register is not in his possession and if the information is given orally, make a report giving necessary particulars, and, if the information is given in writing, forward the same to the officer specified by the Administrator in this behalf for making the necessary entry on payment of a late fee of rupees two.

(2) The parent or the guardian, as the case may be, shall also present to the Registrar the copy of the extract given to him under section 12 or a certified extract issued to him under section 17 and on such presentation the Registrar shall make the necessary endorsement relating to the name of the child or take action as laid down in clause (b) of the proviso to sub-rule(1)."

3. *Amendment of rule 14* — For rules 14 of the principal Rules, the following rule shall be substituted, namely: —

"14. *Fees and postal charges payable under section 17.* (1) The fees payable for a search to be made, an extract or a non-availability certificate to be issued under section 17, shall be as follows: —

	Rs.
(a) search for a single entry in the first year for which the search is made	1.00
(b) for every additional year for which the search is continued	1.00
(c) for granting extract relating to each birth or death	1.00
(d) for granting non-availability certificate of birth or death	1.00

(2) Any such extract in regard to a birth or death shall be issued by the Registrar or the officer authorised by the Administrator in this behalf in Form No. 9 or, as the case may be, in Form No. 10 and shall be certified in the manner provided for in section 76 of the Indian Evidence Act, 1872 (Central Act 1 of 1872).

(3) If any particular event of birth or death is not found registered or the register of births and deaths of a particular year is lost or destroyed, the Registrar shall issue a non-availability certificate in Form No. 17 or Form No. 18 or Form No. 19 or Form No. 20, as the case may be.

(4) Any such extract or non-availability certificate may be furnished to the person asking for it or sent to him by post on payment of the postal charges therefor.

4. *Amendment of rule 15* — For rule 15 of the principal Rules the following rules shall be substituted, namely: —

15. *Interval and forms of periodical returns under section 19(1).* — (1) Every Registrar, including the Registrar for a Municipality or Municipal Corporation or Cantonment or Industrial Township or Project Township with a population less than 30,000, shall send to the Chief Registrar or the officer specified by him in this behalf, on or before the 5th of each month, a true copy of the entries in the register of births and deaths relating to the month immediately preceding.

(2) The officer so specified shall forward all such copies of the entries in the register of births and deaths received by him to the Chief Registrar not later than the 10th of that month.

(3) The Registrar for a Municipality or Municipal Corporation or Cantonment or Industrial Township or Project Township with a population of 30,000 or more shall send to the Chief Registrar or the officer specified by him in this behalf, in Form No. 15; a monthly return of births and deaths by the end of the month following the month to which the information relates."

5. *Amendment of rule 18.* — For rule 18 of the principal Rules, the following rule shall be substituted, namely: —

"18. *Registers and other records under section 30(2)(k).* — (1) The register of births and deaths shall be a record of permanent importance and shall not be destroyed.

(2) All information received in Form Nos. 2, 3 and 4 by the Registrar under sections 8 and 9 and the court orders and orders of the specified authorities granting permission for delayed registration received under section 13 by the Registrar, shall form an integral part of the register of births and deaths and shall not be destroyed.

Provided that in a case where the information so received has been entered in the said register by the Registrar and such entry is signed or marked by thumb impression by the informant in such register, the documents relating to the information so received shall be preserved for a minimum period of 5 years.

(3) The certificate as to the cause of death furnished under sub-section (3) of the section 10 shall be retained for a period of atleast 5 years by the Chief Registrar or the officer specified by him in this behalf.

(4) All information received in Form Nos. 5, 6 and 7 under sub-section (1) of section 10 shall be retained by the Registrar for a period of twelve months.

(5) Every register of births and deaths and the forms relating to the entries therein shall be retained by the Registrar in his office for a period of twelve months after the end of the calendar year to which it relates and such register and forms shall thereafter be transferred for safe custody to such officer as may be specified by the Administrator in this behalf."

6. *Insertion of Forms.* — After Form 16 of the principal Rules, the following forms shall be added, namely: —

"FORM No. 17"  
(See rule 14)

Government of ...  
Department of ...

Non-availability Certificate issued under section 17 of the  
Registration of Births & Deaths  
Act, 1969.

This is to certify that a search has been made on the request of Shri/Smt./Kum. .... son/wife/daughter of .... for the birth/death certificate of .... son/wife/daughter of .... in the registration records relating to .... of .... of .... and found (Local area) (Taluka) (District) (State) that the original register of birth/deaths for the year .... is not available.

Signature of the issuing authority

SEAL:

Date:

## FORM No. 18

(See rule 14)

Government of ...

Department of ...

Non-availability Certificate Issued under section 17 of the  
Registration of Births and Deaths Act, 1969.

This is to certify that a search has been made on the request of Shri/Smt./Kum. .... son/wife/daughter of .... in the registration records for the year(s) .... relating to ..... of ..... of ..... of ..... and (Local area) (Taluka) (District) (State) found that the event relating to the birth/deaths of .... son/daughter/wife of ... was not registered.

Signature of the issuing authority

SEAL:

Date:

## FORM No. 19

(See rule 14)

Government of ...

Department of ...

Non-availability Certificate Issued under section 17 of the  
Registration of Births and Deaths Act, 1969.

This is to certify that a search has been made on the request of Shri/Smt./Kum. .... son/wife/daughter of .... in the registration records relating to ..... of ..... (Local area) (Taluka) of ..... of ..... and found that the register of (District) (State) births for the year ..... is not available. However, the following information has been taken from the original records of reporting forms, received and filed under the Registration of Births and Deaths Act, 1969 at the above mentioned place.

(i) Name ..... (ii) Father's Name ..... (iii) Mother's Name ..... (iv) Sex ..... (v) Residential Address ..... (vi) Date of Birth ..... (vii) Place of Birth .....

Signature of the issuing authority

SEAL:

Date:

## FORM No. 20

(See rule 14)

Government of ...

Department of ...

Non-availability Certificate Issued under section 17 of the  
Registration of Births and Deaths Act, 1969.

This is to certify that a search has been made on the request of Shri/Smt./Kum. .... son/wife/daughter of .... in the registration records relating to ..... of ..... (Local area) (Taluka) of ..... of ..... and found that the register of (District) (State) deaths for the year ..... is not available. However, the following information has been taken from the original record of reporting forms received and filed under the Registration of Births and Deaths Act, 1969 at the above mentioned place.

(i) Name ..... (ii) Father's/Mother's/Husband's Name ..... (iii) Sex ..... (iv) Residential Address ..... (v) Date of Death ..... (vi) Place of Death .....

Signature of the issuing authority

SEAL:

Date:

By order and in the name of the Administrator  
of Goa, Daman and Diu.

A. V. Pimenta, Under Secretary to the Govt. of  
Goa, Daman and Diu.

Panaji, 10th July, 1984.

Works, Education and Tourism Department

## ORDER

DE/Acad.I/Misc/1122/83-84/1778

Read: — Government Order No. DE/Acad.I/  
/Misc/1122/83-84/2339 dated 17-8-  
-1983.

Sub.: — The award of Selection Grade to the  
Aided Secondary School teachers.

Consequent upon issue of above quoted Government Order, clarifications are being sought by some of the School Managements regarding the phrase used in Para 3 of the Government order cited above namely "*irrespective of the fact whether these posts are lying vacant or filled up*".

In this connection it is clarified for the information of all Aided Secondary Schools and Aided Secondary School Teachers that the vacant posts mean the posts which were sanctioned and filled up, but lying vacant on the crucial date/dates, in a particular School, due to some reasons viz. due to resignation, retirement, termination, death etc. and subsequently filled up after the crucial date/dates. Such posts only are required to be counted for calculating 15%/20% of the Selection Grade posts as the case may be. It shall be noted that these are not the presumptive posts which were never created or sanctioned but the posts which were actually sanctioned but were lying vacant due to some reason or the other as explained above. This clarification shall be brought to the notice of all the Assistant Teachers of the School.

L. Khiantge, Director of Education and Ex-Officio,  
Additional Secretary to the Government of  
Goa, Daman and Diu.

Panaji, 9th July, 1984.

Law Department (Legal Advice)

Drafting Section

Notification

LD/1/9/84/(D)

The National Security (Second Amendment) Ordinance, 1984 (No. 6 of 1984) which has been pro-

mulgated by the President of India and published in the Gazette of India, Extraordinary, Part II, Section 1 dated the 21st June 1984, is hereby republished for the general information of the Public.

B. S. Subbanna, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 12th July, 1984.

MINISTRY OF LAW, JUSTICE AND  
COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 21st June, 1984/Jyaishta 31, 1906  
(Saka)

THE NATIONAL SECURITY (SECOND  
AMENDMENT) ORDINANCE, 1984

No. 6 of 1984

Promulgated by the President in the Thirty-fifth  
Year of the Republic of India.

An Ordinance further to amend the National Security Act, 1980.

Whereas Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, Therefore, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the National Security (Second Amendment) Ordinance, 1984.

(2) It shall come into force at once.

2. *Insertion of new section 5A.*—In the National Security Act, 1980 (hereinafter 65 of 1980. referred to as the principal Act), after section 5, the following section shall be inserted, namely:—

“5A. *Grounds of detention severable.*—Where a person has been detained in pursuance of an order of detention [whether made before or after the commencement of the National Security (Second Amendment) Ordinance, 1984] under section 3 which has been made on two or more grounds, such order of detention shall be deemed to have been made separately on each of such grounds and accordingly—

(a) such order shall not be deemed to be invalid or inoperative merely because one or some of the grounds is or are—

(i) vague,

(ii) non-existent,

(iii) not relevant,

(iv) not connected or not proximately connected with such person, or

(v) invalid for any other reason whatsoever,

and it is not, therefore, possible to hold that the Government or officer making such order would have been satisfied as provided in section 3 with reference to the remaining ground or grounds and made the order of detention;

(b) the Government or officer making the order of detention shall be deemed to have made the order of detention under the said section after being satisfied as provided in that section with reference to the remaining ground or grounds.”.

3. *Amendment of section 14.*—In section 14 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) The expiry or revocation of a detention order (hereafter in this sub-section referred to as the earlier detention order) shall not [whether such earlier detention order has been made before or after the commencement of the National Security (Second Amendment) Ordinance, 1984] bar the making of another detention order (hereafter in this sub-section referred to as the subsequent detention order) under section 3 against the same person:

Provided that in a case where no fresh facts have arisen after the expiry or revocation of the earlier detention order made against such person, the maximum period for which such person may be detained in pursuance of the subsequent detention order shall, in no case, extend beyond the expiry of a period of twelve months from the date of detention under the earlier detention order.”.

4. *Amendment of section 14A.*—In the principal Act as applicable to the State of Punjab and the Union territory of Chandigarh, in section 14A, in sub-section (2),—

(i) in the opening portion, for the words and figures “sections 10 to 13”, the words and figures “sections 10 to 14” shall be substituted;

(ii) after clause (d), the following clause shall be inserted, namely:—

“(e) in section 14, in the proviso to sub-section (2), for the words “twelve months”, the words “two years” shall be substituted.”.

ZAIL SINGH,  
President.

R. V. S. PERI SASTRI,  
Secy. to the Govt. of India.